

Harrington Park
ZONING BOARD OF ADJUSTMENT
REORGANIZATION & REGULAR MEETING MINUTES
Wednesday, January 27, 2021 @ 7:00PM

REORGANIZATION MEETING

Chairperson McLaughlin called the meeting to order at 7:00pm.

Open Public Meeting Act Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Pursuant to Governor Murphy's Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the Reorganization and Regular meeting of the Borough of Harrington Park Board of Adjustment scheduled for January 27, 2021 at 7:00 p.m. will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears on the borough website.

CL noted that the telephone connection was tested and speaking and listening on the phone worked. RF and MR were logged into the meeting and verified that the phone number for testing was listed as a participant.

ROLL CALL

Roll Call	PRESENT	ABSENT
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X	
(RB) Robert BUDINICH		X
(JC) Jin CHO	X	
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ	X	
(GZ) Gail ZACCARO (alternate a)	X	
(RF) Robert FRANK (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney
(CL) Carolyn Lee, Land Use Secretary

ADMINISTRATION OF OATHS OF OFFICE

The following members took the oaths of office to continue for an additional 4 year term:

1. Richard McLaughlin
2. John Powers
3. Michael Roth
4. Jin Cho
5. Stephen Martinez

The borough requires signed copies of the forms. JS and GZ are notaries. SM submitted the notarized oath of office. JS asked the other members to show them signing the form.

ROLL CALL (2021 Members)

Roll Call	PRESENT	ABSENT
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X	
(RB) Robert BUDINICH		X
(JC) Jin CHO	X	
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ	X	
(GZ) Gail ZACCARO (alternate a)	X	
(RF) Robert FRANK (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney
(CL) Carolyn Lee, Land Use Secretary

BOARD NOMINATIONS

Chairperson

Vote to approve Richard McLaughlin as Chairperson	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN					X	
Vice Chair Michael ROTH	X		X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			

Stephen MARTINEZ		X	X			
Gail ZACCARO (alternate a)			X			
Robert FRANK (alternate b)			X			

Vice-chairperson

Vote to approve Michael Roth as vice-chairperson	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN	X		X			
Vice Chair Michael ROTH					X	
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)			X			

Secretary

Vote to approve John Powers as Secretary	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS					X	
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT	X		X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)			X			

ADMINISTRATION OF APPOINTMENTS (consent resolution approval)

Board Attorney – John Schettino

Board Engineer – Neglia Engineering

Board Planner – Richard Preiss - Phillips Preiss Grygiel

Recording Secretary – Carolyn Lee

Vote to consent resolution approval for the Administration of Appointments as stated.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ	X		X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)			X			

ADOPTION OF ANNUAL MEETING SCHEDULE for 2021

Zoning Board of Adjustments meetings are held the fourth Wednesday of the month at the Municipal Center at 7pm. *meeting dates changed due to holidays and schedule conflicts.

January 27	February 24	March 24	April 28
May 26	June 23	July 28	August 25
September 22	October 27	November 17 *	December 15 *

Vote to approve Adoption of Annual Meeting Schedule for 2021.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT	X		X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)			X			
Robert FRANK (alternate b)			X			

CLOSE REORGANIZATION MEETING

Motion: SM Second: SL

In favor, all said “aye”. None opposed.

REGULAR MEETING

The public notice indicated that the Reorganization and Regular meeting would be held on January 27, 2021 at 7pm.

No one has left from the Reorganization meeting.

MINUTES FOR APPROVAL

December 16, 2020 minutes

CL noted that she sent out the certification by absent member to the members that did not attend the December 16, 2020 meeting. RF submitted the certification by absent member form and had it notarized. MR, SM, JC said they watched the recording from December 16, 2020. They are still required to submit the form.

Vote to approve the December 16, 2020 minutes.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT	X		X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)			X			

INVOICES FOR APPROVAL

Law Office of John L. Schettino Meeting attendance 12/16/2020 \$ 187.50

TOTAL \$ 187.50

Vote to approve payment of invoices listed.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			

Steve LOTT			X			
Stephen MARTINEZ	X		X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)			X			

HEARINGS

JS noted that there is an alternate present and should not participate in the votes. RF is the alternate.

1. 168 Harriot Ave - front yard setback for an addition (Sam Keene & Elena Maris)

Gerald Santucci, 16 Earnshaw Place, Clifton, NJ, 07013 is an associate of Joseph Bruno. Mr. Santucci is a licensed architect and is filling in for him. Mr. Santucci was advised by Joe Bruno with the testimony that was made. Mr. Santucci was sworn in.

RM recalled that the footprint is staying the same, but the roofline is changing. Mr. Santucci said that the footprint is not changing and they are adding a dormer to the front of the house. It is a nonconforming on the Lynn St. side. It is encroaching because there is a 55ft setback. The dormer is at 30ft on the second level.

The board members had no additional questions or comments.

The meeting was opened to the public for questions or comments. There were no questions or comments from the public. The meeting was closed to the public.

Vote to approve the 168 Harriot Ave. application.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ		X	X			
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)						alt.

RM asked Mr. Santucci to tell the applicant that the board will adopt a written resolution in the next meeting incorporating the approval that will be published in a newspaper and anyone having an objection to the decision has 45 days from the publication date to file suit to overturn the board's decision.

2. 102 Highland Avenue - 6ft Fence (Giuseppe Mellampe)

Mr. Mellampe is still under oath from when he was a witness. Mr. Mellampe amended the fence application. He eliminated the fence along the rear yard behind the garage and the fence along Tappan Road. The amended fence application is a fence between Mr. Mellampe's property and the neighbor on the Highland side and a fence running parallel to Highland Ave. on the right side if you are looking at the house from Highland Ave. to the property line. The fence starts at the end of the house to the end of the property line. The fence along the proposed driveway will begin where the house begins. Mr. Mellampe is requesting a 5ft high fence at the front of the house toward Tappan Rd. A 6ft high fence is requested by the proposed driveway. Between the property there are a lot of trees and shrubs that are over 6ft. The neighbor has a deck that is about 3-4ft high and about 15-20ft from the fence line. Mr. Mellampe feels that the neighbors can look over a 5ft high fence.

MR agreed that the property requires privacy, but is opposed to 6ft fences. RM noted that the amended plan provided shows the fence locations, including removal of the driveway and replanting it to look like the lawn. Mr. Mellampe said that it is probably best, considering they cannot have a fence on the Tappan side any further than the setback line, to reroute the driveway to the Highland side and eliminate a hazardous driveway on the Tappan Rd. side.

SL asked how Mr. Mellampe would achieve privacy along the Tappan Rd with no fence. Mr Mellampe said they will have landscaping. SL asked if the garage would be completely rebuilt because the doors face Tappan Rd. Mr. Mellampe said that the variance is for the fence. The doors would need to be built facing Highland Ave. Mr. Mellampe and his architect could not find the setbacks for an accessory structure in the ordinances. SL suggested that the Building Department would know. Mr. Mellampe said that he would submit a separate application for the garage if a variance was needed for the setback. There was discussion about the setback for an accessory structure. Mr. Mellampe will landscape along Tappan Rd. with evergreens. He believes that a fence would be an eyesore and want to make it look nicer with evergreens, rocks or build something out to look appealing. The evergreens would end where the fence ends. It should be more than enough view within the triangular space allowed for corner properties within the town.

The meeting was opened to the public. There were no comments. The meeting was closed to the public.

Vote to approve 102 Highland Ave. amended application.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ			X			

Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						alt.

The application was approved. The approval will be incorporated in a written resolution that will be adopted in the next meeting. The resolution will be published and during the 45 days after publication anyone can file suit to overturn the decision. The next meeting will be February 24th. Mr. Mellampe thanked the board.

3. 52 First Street - front and side yard setback for an addition (Mr. & Mrs. O'Neil)

Mr. and Mrs. O'Neil were still under oath from the last meeting. They had nothing to add to their testimony.

The board had no additional questions.

The meeting was opened to the public. There were no questions from the public. The meeting was closed to the public.

Vote to approve 52 First St. application.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ		X	X			
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)						alt.

The approval will be incorporated in a written resolution that will be adopted in the next meeting. The resolution will be published and during the 45 days after publication anyone can file suit to overturn the decision. Mr. Segal asked about applying for a permit before the written resolution was approved. JS said that the applicant can apply at their own risk.

4. 32 Deal Street - rear and side setback for an inground pool (Mr. & Mrs. Jones)

Mrs. Jones was still under oath. She had nothing to add.

MR suggested that there should be shrubbery between the properties to provide a sound barrier. Mrs. Jones considered shrubbery, but there is a tree line that fills in with the pines during the summer and would provide quite a bit of a barrier. In order to put in shrubbery, she would need to remove existing trees and there is an existing solid 5ft. She would like to see how the shrubs filled in during the summer when the pool is installed before removing old growth. The tree line

is on Mrs. Jones property. The pool is setback far from where the neighbor would have a patio off the back of the house.

The board had no additional questions.

The meeting was opened to the public. There were no questions or comments from the public. The meeting was closed to the public.

Vote to approve the 32 Deal St. application.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT	X		X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						alt.

The approval will be incorporated in a written resolution that will be adopted in the next meeting. The resolution will be published and during the 45 days after publication anyone can file suit to overturn the decision.

5. 81 Lincoln Terrace - side yard setback for a generator (Christian & Mary Delouvrier)

Mr. and Mrs. Delouvrier, 81 Lincoln Terrace, Harrington Park, NJ were sworn in. They would like to install a generator on the side yard where 15ft is required. They are short about 4.5ft. Notices were sent by hand and/or certified receipt. If you are facing the house from the street, the generator would be on the right side. There is a 5ft high chain/mesh fence between neighbor's house and the Delouvrier's house. There are bushes between the houses that are about 6-7ft high. The neighbor would be able to see the generator if they were in the yard. There are no windows on that side of the neighbor's house. The neighbor's dwelling is about 15ft from the property line. There would be about 25ft from the neighbor's house to the generator. The proposed location of the generator is next to the air conditioner unit and where the power and gas line goes into the house. There is enough space on the left side of the house, but it was cost prohibitive to run the lines and wire. Strategically, the right side was the best place to locate the generator. Mrs. Delouvrier agreed that it is cost effective at this location and would have the least impact on their usable outdoor space.

The board had no additional questions.

The meeting was opened to the public. There were no comments or questions from the public.
The meeting was closed to the public.

RM let the Delouviers know that the meeting will be carried to the next meeting on February 24th. During this time, members of the board will go individually to look at the area that was described. The Delouviers were asked to mark out the area for the proposed generator. Mrs. Delouvier said that there is a solid fence at the front of the yard. The members will need to look over the fence or if the Delouviers are home, they are welcome into the backyard. Before the members go in, they will knock on the door.

RESOLUTIONS

1. 224 Florence Road- impervious coverage and side yard setback for an inground pool (Miki & Michael Jensen)

Vote to approve the 224 Florence Rd. resolution.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS	X		X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						alt.

2. 54 Dean Street- side yard setback for an addition (Caroline & Leonardo Fiaschi)

Vote to approve the 54 Dean St. resolution.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT	X		X			
Stephen MARTINEZ		X	X			
Gail ZACCARO (alternate a)			X			

Robert FRANK (alternate b)						alt.
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3. 79 Herring Street - front yard, side yard, lot coverage for an addition (Christopher Lenat)

Vote to approve the 79 Herring St. resolution.	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)						

MEETING OPEN TO THE PUBLIC

The meeting was opened to the public. There were no comments or questions from the public.
The meeting was closed to the public.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURN

Motion: JP Second: SL

In favor, all said “aye”. None opposed.

Meeting was adjourned at 7:55pm.

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
Wednesday, February 24, 2021 at 7pm